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Michael A. Haskell

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July 8, 2019

Via ECF

Hon. Arlene R. Lindsay
United States Magistrate Judge
Eastern District of New York
Long Island Federal Courthouse
814 Federal Plaza
Central Islip, NY 11722-4451

Re: Cathay Bank v. Malliarakis et al., Case No. 17-CV-3551 (NG) (ARL)

Dear Magistrate Judge Lindsay:

Pursuant to this Court's May 1, 2019 Order, Plaintiff Cathay Bank ("Cathay") hereby reports the status of efforts to appoint an Administrator of the Estate of Paula Malliarakis. On June 20, 2019, Cathay's petition to Surrogate's Court, Queens County for appointment of Ms. Malliarakis's sons, Julio Cesar Montalvo ("Montalvo") and Jose Antonio Bonilla ("Bonilla"), was heard by Surrogate Kelly, without opposition. The Public Administrator renounced appointment and submitted a proposed order to this effect, which was signed on June 25, 2019, paving the way for the appointment as representatives of Montalvo and Bonilla, the preferred choice, since they are blood relatives of the decedent, or if they do not qualify, then Cathay's designee Christopher Feeny, Esq. Cathay prefers that Montalvo and Bonilla sign the necessary Oaths and Designations, which I have urged their counsel, Julio E. Portilla, Esq., to send to me for filing, as soon as possible. He has promised to do so. Failing this, we will have to request that Mr. Feeny be appointed.

I appeared again in the Surrogate's Court this morning and was informed that as soon as the signed Oaths and Designations are filed by Montalvo and Bonilla, the matter will be submitted to the Surrogate for a determination.

I respectfully request that the stay be continued, and that a control date of August 23, 2019 be set. Provided Mr. Portilla's clients cooperate promptly, we should have a disposition before that date. To facilitate this matter, I also respectfully request that the Court set a date of July 17, 2019 as a control date for a conference with Mr. Portilla in the event that Oaths and Designations from Montalvo and Bonilla are not filed with the Surrogate's Court before that date.

Respectfully submitted,

s/Michael A. Haskel

Michael A. Haskel

cc: Julio E. Portilla, Esq. (*via e-mail*)
Stephen H. Finkelstein, Esq. (*via ECF*)
James P. Demetriou, Esq. (*via ECF*)